

**GOVERNMENT OF TELANGANA**  
**ABSTRACT**

Labour Employment Training & Factories Department – Insurance Medical Services – Dr.N.Anantha Lakshmi, and Dr.S.JayaLakshmi, Deputy Civil Surgeons – Request for sanction of Pay & Allowances for the period of their prosecution Post Graduation Courses – Orders Dt.28-09-2010 of the Hon'ble High Court in W.P.No.5945 of 2010 – Show cause Notice in C.C.No.85 of 2016 – Implementation of orders Dt.28-09-2010 of Hon'ble High Court of A.P., in W.P.No.5345 of 2010 - Sanction of Pay and Allowances to the Dr.N.AnanthaLakshmi & Dr.S.Jaya Lakshmi for the period of their prosecution of Post Graduate Courses during the academic Years 2008-2011– Orders – Issued.

**LABOUR EMPLOYMENT TRAINING & FACTORIES (OP&IMS) DEPARTMENT**

G.O.Rt.No.265

Dated:30.03.2016

Read the following:-

- 1) From the Director, IMS, AP, Hyd., Lr.Rc.No.10959/E1A/2008, Dt.08.09.2008.
- 2) O.A.No.3292 of 2009 filed by Dr.N.Anantha Lakshmi, & Dr.S.Jayalakshmi, Deputy Civil Surgeons.
- 3) APAT orders dated 30.04.2009 in OA No.3292 of 2009.
- 4) G.O.Rt.No.1649, LET&F(IMS) Department, Dt.12-11-2009.
- 5) Writ Petition No.23862 of 2009 filed by the LET&F Department against the orders of Hon'ble APAT, Dt.30-04-2009 in O.A.No.3292/2009.
- 6) Writ Petition No.24673 of 2009 filed by Dr.N.Anantha Lakshmi Dy.C.S., ESI Dispensary, Sanathnagar-2, Hyderabad.
- 7) From G.P.for Services, A.P.High Court, Lr.No.WP.No.23862/09/ GP.Ser.I, Dated.25-11-2009.
- 8) APAT orders dated 23.12.2009 in OA No.3292 of 2009 with MA No.4517 of 2009 filed by Dr.N.Anantha Lakshmi, & Dr.Jaya Lakshmi, Dy.C.Ss.
- 9) Writ Petition No.5345 of 2010 filed by the Govt., against the orders of Hon'ble APAT, Dt.23-12-2009 in O.A.No.3292/2009 with MA No.4517/2009 filed by Dr.N.Anantha Lakshmi, & Dr.Jaya Lakshmi, Dy.C.Ss.
- 10) Orders Dt.28-09-2010 of Hon'ble High Court of A.P. in W.P.No.5345 of 2010.
- 11) Govt. Letter No.8820/IMS-1/2008 Dt.03-05-2011 addressed to the Spl.Officer, O/o.Advocate on Records, Supreme Court of India, New Delhi.
- 12) From the Spl. Officer,O/o Spl. Office, for Advocate-on-Records in the Supreme Court, A.P., Bhavan, Ashoka road, New Delhi Lr. No. LENTE-19/APLC/SA/SO/2011, Dt.23-5-2011 along Supreme Court Orders in C.C.No.7985/2011 Dt.11-05-2011.
- 13) Govt Letter No.8820/IMS-1/2008 Dt.27-09-2012.
- 14) From the Spl. Officer,O/o Spl. Office, for Advocates-on-Records in the Supreme Court, A.P., Bhavan, Ashoka road, New Delhi Lr. No. LENTE-19/SO(SS)/APLC/2011, Dt.13-2-2013 along Supreme Court Orders in CC.No.15097/2011 Dt.18-01-2013.
- 15) Orders Dt.02-01-2014 of the Hon'ble Supreme Court of India in SLP No.15097/2011.
- 16) From the DIMS,Hyd Lr.Rc.No.3218/E1/Legal/2009, Dt.12.09.2014.
- 17) From the Deputy Registrar, High Court for the state of Telangana and State of A.P Show Cause Notice in CC.No.85 of 2016 Dt.25.02.2016 in W.P.No.5345/2010.
- 18) From the Govt, Pleader for Services High Court of A.P.& Telangana, Hyd Lr C.C.No.85//2016/MVRR/Ser/HC Dt.07.03.2016

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**ORDER:**

The Director of Insurance Medical Services, Andhra Pradesh, Hyderabad in her letter 1<sup>st</sup> read above has stated that Dr. S. Jayalakshmi, Deputy Civil Surgeon,

**(P.T.O)**

has prosecuted P.G. Diploma in Gynac.& Obst. during the period from 1988-90 as non-service candidate and at present she was selected for P.G Course in M.D(Pathology) at Osmania Medical College, Hyd and Dr. N.Anantha Lakshmi, Deputy Civil Surgeon has prosecuted P.G. Diploma in T.B&C.D during the period from 1992-94 as non-service candidate at present she was selected for P.G.Course in M.D( Anaesthesia) at Osmania Medical College, Hyderabad. She has therefore requested the Government to sanction deputation to Dr. S.Jayalakshmi, Deputy Civil Surgeon and Dr. N. Anantha Lakshmi, Deputy Civil Surgeon, for a period of(12) months from 18.6.2008 to 17.06.2009 with pay & allowances and the remaining period of (2) years from 18.06.2009 to 17.06.2011 as study leave without pay and Allowances respectively.

2. Dr. N. Anantha Lakshmi & Dr. S.Jayalakshmi, Deputy Civil Surgeons have also filed O.A.No.3292 of 2009 in the Hon'ble A.P.A.T. for payment of salaries for their deputation period for prosecuting P.G. Degree. The Hon'ble APAT in their orders Dt.30-04-2009 have allowed the O.A. directing the respondents to release the stipend to the Applicants. Against the orders of the Hon'ble APAT Government have filed W.P.No.23862 of 2009 in the Hon'ble High Court of A.P. The Applicants have also filed W.P.No.24673 of 2009 in the Hon'ble High Court of A.P. against the same orders Dt.30-04-2009 of Hon'ble APAT.

3. In the meanwhile Government have examined the matter and Government have issued orders vide G.O.Rt.No.1649, Labour Employment Training & Factories (IMS) Department, dated.12-11-2009, permitting the Director of Insurance Medical Services to sanction EOL from 18.06.2008 to 17.06.2011 without pay and allowances to Dr. S. Jayalakshmi and Dr.N.Anantha Lakshmi, Deputy Civil Surgeon to prosecute their P.G. Course for a period of three(3) years in M.D (Pathology) & M.D(Anaesthesia) respectively at Osmania Medical College, Hyderabad

4. The Hon'ble High Court of A.P allowed both the Writ Petitions and issued orders Dt.25-11-2009 remanded the matter again Hon'ble A.P.A.T. for fresh disposal. The Applicants filed M.A.NO.4517 of 2009 seeking to amend the prayer and to challenge the orders of the Government in G.O.Rt.No.1649, Dt.12-11-2009.

5. The Hon'ble APAT in their orders dated 23.12.09 has allowed the OA along with M.A.No.4517 of 2009 filed by the Applicants. The operative portion of the order reads as follows:

“that the G.O.Rt.No.1649, dt.12.11.2009 is liable to be set aside. Accordingly, it is set aside and the respondents are directed to pay salary and other allowances to the applicants for the prosecution period i.e 36 months from the date of joining into P.G. Diploma i.e 18.6.2008 to 17.06.2011 within a period of four weeks from the date of receipt of a copy of this order”.

6. Aggrieved by the orders Dt.23-12-2009 of Hon'ble APAT in O.A.No.3292/2009 with MA No.4517/2009, Government have filed W.P.No.5345 of 2010 in the Hon'ble High Court. The Hon'ble High Court in its order dated 28.09.2010 have dismissed the W.P.No.5345/2010 and the order is as follows:

“Though the learned Government Pleader contended that the applicants are paid stipend for their entire period of prosecution of Post Graduation, according to the learned counsel for respondents Nos.1and 2 that it is only during the period of stay they are paid stipend, that does not come against the applicants and in any manner favour the petitioners. Hence, we do not find any merits in the Writ Petition”

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Due to dismissal of W.P. No.5345/2010, the orders passed in OA No.3292/2009 with MA 4517 of 2009 of APAT are in force.

7. After careful examination of the entire matter, Government have filed an SLP No.7985/2011 before the Hon'ble Supreme Court against the orders of the High Court in W.P.No.5345/2010 dated.28.09.2010. The Advocate on records in his proceedings Dt. 11.05.2011 has stated that the Hon'ble Supreme Court, after hearing counsel, made interim stay of the directions of the orders of W.P.No.5345/2010 of Hon'ble High Court of A.P. Later Government, in Lt.dt.27.09.2012, have sent the Counter Affidavit in SLP(C) No.15097/2011 to the Special Officer, O/o Advocate on Records, AP Bhavan, New Delhi and also sent rejoinder affidavit on behalf of State of AP. At this stage a copy of order Dt.02.01.2014 of the Supreme Court of India in SLP No.15097/2011 has been obtained and the orders of Supreme Court are as follows."

"The matter has been called out the second time. Still no one appears for the petitioners. Consequently, the special leave petition is dismissed for default".

8. In the reference 17<sup>th</sup> read above, Show cause notice in C.C.No.85 of 2016 have been received filed by the Applicants.

9. Government after careful examination of the matter, in consultation with Government Pleader for Services, High Court of A.P,&Telangana hereby decided to implement the orders of the Hon'ble APAT dated: 23.12.2009 in O.A.No.3292/2009.

10. Accordingly, Government hereby sanction the Pay & Allowances to Dr.S.Jayalakshmi, Deputy Civil Surgeon & Dr.N.Anantha Lakshmi, Deputy Civil Surgeon for the period from the date of joining of Post Graduation courses i.e., from 18-06-2008 to 17-06-2011.

11. The Director of Insurance Medical Services, Telangana, Hyderabad shall take necessary action in the matter.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**HARPREET SINGH  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director of Insurance Medical Services, Telangana, Hyderabad.

**Copy to:**

The individuals through the Director of Insurance Medical Services (I/c),  
Telangana State, Hyderabad.

The Pay & Accounts Officer, Telangana, Hyderabad.

The Director of Treasuries & Accounts, Telangana, Hyderabad.

The District Treasury Officer, Telangana, Hyderabad..

The Government Pleader for services, High Court, Telangana & A.P., Hyderabad.  
SF/SC

//FORWARDED :: BY ORDER//

**SECTION OFFICER**